

CAESAR'S CONNECTION WITH THE CONSPIRACIES AT ROME IN 66-62 B. C.



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by

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. "Personamque feret non inconcinnus
utramque."

"He not unfitly may,
Both parts and persons play."

Cicero Tusc. Qu. I, 4
Montaigne, Ed. of Children.

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INTRODUCTION

Among all the intrigues involving Caius Julius Caesar during his prodigiously eventful life, none other requires more delicate observance of detail or enforces so complete a reserve of personal opinion as the present subject of investigation. In all commentaries on this matter there develops without exception a condition, an "if" clause due to different deductions from the statements of ancient writers, and an apodosis adorned with the author's opinion or assumption. Can we hope to escape these tendencies and arrive at surer results?

"Errare est humanum." The web of history has been spun by human hands. Its irregularities, countless imperfections, ineffaceable blunders and necessary foibles are forever mementoes of mortal man's inconsistent, intermeddling hand---in nearly every case guided by a preconceived notion resting within the narrow limits of the individual. The point for the modern student to determine is just how far to rely upon each writer. And so our critical observation too often rests upon the authority of the historians, who must also share the epithet, "extremely human men." When we read one annalist our standpoint becomes "attached"; another writer will slightly weaken the attachment; and still another will well nigh dislodge us from any settled opinion. With this conglomeration of ideas, "half belief" and refertur-records transferred to us by the various authors, we are set adrift upon a sea of doubt and ultimately compelled to rely upon

the compass of our own reason.

Let the concession be made, then, that at least a definite debatable question is to be discussed. The discussion of this question is most important as disclosing the personal intentions of Caesar, and Caesar at this particular period represented the popular party. Had this party obtained its wishes the history of Rome would have been altered considerably. An historical fact makes a more urgent appeal to the modern student when it concerns events tending to change later history. In the case of Caesar, his participation in the Catilinarian conspiracies had a profound effect in shaping his future political career. But not every event is so important in molding the future. For instance, history records the Conway Cabal. This intrigue, while creating a sensation at the time, affected subsequent history but little. Those who suffered at the hands of the intriguers blotted out completely the evil effects of the plot by their brilliant exploits in the later period. It is significant that not one of the persons who we feel sure were interested in the Conway collusion later appears on the stage as an American hero. On the other hand, Rome's outstanding character, in fact the chief, emerges from the mist of conspiracy and presses onward to dazzling renown. Might not this early episode in the life of Caesar--loosely attached to him per nomen solum, or successfully evaded through an intuition of the outcome, indelibly impress the character of one who plays the "witless game" and "wins what man calls fame"?

Rome was in the midst of the transitional period. From the time of the birth of the great Julius the turmoil of public events had engulfed one outstanding character after another. The

statutes of Sulla had gradually fallen into disfavor and as a matter of fact were little observed. Even an enthusiast like Cicero could not awaken the populace to more than a semblance of patriotism. The proletariat, "without a head", could but regard their rulers as petty despots. The characters of the leading men corresponded notably to the government which they controlled. They had been raised to their eminence by a political management that was corrupt to the core. For furthering their aspirations they first prepared to meet all the advances of their adversaries. Ambition, capacity and material resources were the three essentials in pressing one's claims. Having ambition and capacity, Caesar yet needed a coalition that would provide the resources. He makes his first appearance, destined never to withdraw from public life, seeking such an alliance. He is soon engaged with numerous others who profess concern for the rabble; all are struggling through a labyrinth of political intrigue. Nearly all who were involved in politics had ambitions to head the state. Each thought himself capable of entering upon and holding the leadership; each foresaw a remuneration; each then saw the field in which all his talents could be proved. Scarcely could we point out one prominent Roman who lived at this time who did not realize or did not think he recognized within himself sufficient ability to act as helmsman for the ship of state.

Many writers have touched here and there upon phases of the question under discussion but they have done this only in an incidental way. It is my purpose in this thesis to assemble

and to reexamine critically all the passages from ancient authorities bearing upon the subject and to give due regard to the opinions of modern scholars and critics. It is hoped in this way to arrive at some definite conclusions in regard to this episode in the life of one of the most picturesque characters of history.

CAESAR AND THE CONSPIRACY

RETROSPECT

In tracing the development of political history one must undoubtedly and inevitably trace tendencies. The very fibre, the finest tissue, which later develops into the healthy and hardy stock of the plant, we must watch closely through its entire growth--its stages--noting the attraction for its sustenance at one period and the vigorous rejection of aliments not adaptable for its later progress at all periods.

The truncated biography written by Suetonius, our only personal, ancient historian of Caesar, gives us our first view of him as a youth of sixteen. At this tender age, his activities forecast a phenomenal political future. His public bias had already been determined by other members of the Julian Gens. So Julius, when but a lad, being a relative of old Marius, was held by Sulla, the dictator, to be "of the opposite party" ¹. Later on some of his political activities seemed to have brought his democratic inclinations into question. But he never deserted the interests of the popular party to the extent that the old Sullan suspicion was completely dropped.

It can be plausibly assumed that the years 84 B. C. to 71 B. C. were years of constant, feverish preparation. Witnessing the horrors perpetrated by the rival leaders and dreaming of a time when he, too, might be master of Rome, he determined to devote his time assiduously to three things: forensics (at Rhodes), acquisi-

¹ Suet. "C." I. "----diversarum partium habebatur----".

tion of military experience (at Mytelene), and an adaptability to mingle with ease and calm deliberation among all sorts of men and under any condition. ' In the future then, he could more easily adjust himself with subtlety, celerity and at least temporary satisfaction to any situation, however involved or trifling it might be.

The year 71 B. C. found political Rome in the midst of the transitional period. "It was the best of times; it was the worst of times." The growing distaste for things Sullan, the constant and exasperating illegitimate practices of the oligarchy, were widening the breach between the political aspirants of the diverse parties into a veritable, insurmountable chasm. Through their progress and successful issue, internal wars ' , had been the means of affording to men of ability and ambition the opportunity of furthering the cherished hopes of personal renown. Sertorius, the last Marian agitator, had fallen at the hands of an assassin in Spain. ' ' The slave war in Southern Italy, while not entirely in hand, gave promise of terminating very shortly as the Sparticans in their desperate straits had become fugitives.

The internal strife had produced two strong political chiefs. Pompey was powerful because of the military prestige he had just created; Crassus, because of the support procured through those

' Suet. "C." 2, 4.

' 'Sertorius, and the Slave Insurrection.

' ' Sertorius fell at the hands of an assassin, his subordinate Perpenna. Pompey had failed to put an end to the war in Spain up to this time.

dependent upon his purse. Politically these men were opposites. The disagreement of two leaders so powerful and influential increased the restlessness at Rome. Pompey was ambitious to gain greater renown and things now bade fair to make an unencumbered pathway to the seat of glory he desired. But he lacked tact and statesmanship and as a result always hesitated at a critical time. As for Crassus, the gold kept pouring into his coffers and his successful investments made in the time of the Sullan proscriptions added friends and softened foes. In addition to this he had had some success as a military leader, having helped to suppress the Italian insurrections. He could no longer be regarded as a mere figure in the financial world. He knew his influence; he felt his prestige increasing. Military success and riches had assured him a position in the state. Pompey could no longer ignore him and the two were made consuls together (70).

Thus the civil wars had resulted in the coalition of Pompey and Crassus, who had control of the state when Julius Caesar reached his thirty-second year. Caesar is at this time encountered as alertness personified. His early training now began to bear fruit. Escaping the ruthless Sulla, winning the civic crown, refusing Lepidus and tricking the pirates had played their part in his early development. He makes fewer mistakes; he conjectures more accurately. But his eye is not yet fixed upon a definite course.

The reorganization of the jury system was of great concern to Caesar, as it removed the more arbitrary powers of a slothful patrician oligarchy. He applies himself assiduously in conjunction with the supporters of the restoration of the tribunician power which had been practically annulled by Sulla. Then possibly for the first time on the rostra he harrangues the languid mob in the

interests of the Plotian rogation. ' Inasmuch as this law permitted the return of the old enemies of the government, we conclude that he has remained faithful to the 'opposite party', that he is desirous of being a leader, and that he is particularly anxious to give himself a tryout.

"In 68, on January 1, Caesar began his cursus honorum as quaestor, i.e. as one of the commissioners of the treasury, in the larger aspect of their operations mandatories of the Great Council in which by the fact of their election they received membership. In this official year of his life, although the quaestorship belonged to the minor magistracies, Caesar at once availed himself of an opportunity to remind the Roman people as to where he stood in public life, to remind them that he was a nephew of Julia, wife of Marius, that he was a son-in-law of Cornelius Cinna. Both his Aunt Julia and his wife Cornelia died in this year, so Caesar delivered eulogies in honor of both, as was customary, on the forum. He seems to have prepared these addresses to be available for publication." ' He did not hesitate to hint that his future was expected to be phenomenal as his descent would imply ' '----a strong intimation of the course already predicted for him.

' Suet. "C." 5. "Tribunatu militum, qui primus Roman reverso per suffragia populi honor optigit, actores (auctores) restituendae tribuniciae potestatis, cuius vim Sulla diminuerat, enixissime iuvit. L. etiam Cinnae uxoris fratri, et qui cum eo civili discordia Lepidum secuti post necem consulis ad Sertorium confugerant, reditum in civitatem rogatione Plotia confecit, habuitque et ipse super ea re contionem."

' Sihler suggests the reading "Auctores."

' ' Gottlieb Sihler: Annals of Caesar, page 54.

' ' Suet. "C." 6. "Est ergo in genere et sanctitas regum, qui plurimum inter homines pollent, et caerimonia decorum, quorum ipsi in potestate sunt reges."

At the end of this year the senatorial lot assigned Spain to him as ranking quaestor. We are informed that he took up his duties, but possibly very shortly afterwards quit the province for reasons which his biographer, Suetonius, states as follows. "Missionem continuo efflagitavit, ad captandas quam primum maiorum rerum occasiones in urbe." ' No modern writer ventures a comment at all adequate on this statement. Just what these particular opportunities (occasiones) were of which he deemed he must immediately (continuo) take advantage we are left to conjecture from the events that follow. It is evident that he secured his release (missionem) and "decedens ergo ante tempus, colonias Latinas de petenda civitate agitantes adiit, et ad audendum aliquid concitasset, nisi consules conscriptas in Ciliciam legiones paulisper ob id ipsum retinuissent." '' This manifestly implies that he was attempting to disturb the public peace and is illustrative of Caesar's course of action during the years 66-62, which were so full of intrigues menacing to the government.

It is interesting here to note that Caesar and Crassus are now becoming closely allied powers. This attachment had been growing steadily since the consulship of Crassus and Pompey. It was not a casual circumstance but was brought about by the similarity of interests in party politics. The impotency of the oligarchy and its loss of prestige made it an object of contempt. The Sullan statutes, which the patres had held to be unassailable, and with zeal defended, had been abused by misinterpretation and arbitrary power. They, also, had become offensive to the Roman conception

' Suet. "C." 7 For Caesar's "Vision" at Cadiz see Sihler: Annals pp. 55-56. Ancient writers recording it are Plutarch: Caesar 11 and Dio 37:52.

'' Suet. "C." 8

of liberty and justice, partly because they were created in the exercise of tyranny, and partly because of the reaction, social and political, that had resulted from their enforcement. The unrest afforded the politician the best possible opportunity for forwarding his desires. Caesar and Crassus were too shrewd and tactful to overlook the growth in numbers and political importance of the rabble. Slow as Caesar's progress had been, with his ambition and activity he was securely forging a way to supremacy.

66-62 is the time; Rome is the place; the minor characters are a corrupt ruling power and a restless proletariat. The conditions are the normal result of a Sullan reaction. The chief dramatis personae of this act are Catiline, Caesar, Crassus and Cicero. The political stage is set. The first three are approaching with design; the fourth is now receiving a few initial puffs toward the inflation and bursting of his political balloon. Is Caesar an obscure subordinate in the activities that are apparently driving the government toward the rocks of disaster?

STATUS QUO

The state of affairs at Rome in this time has been sufficiently reviewed. It was a period of admitted social, moral and political disintegration. Assuredly there could be no better condition for the energetic politician who is anxious to see his dreams come true. Caesar is now manifestly active. He is the approved champion of a political faction and his ambition has almost increased to a state of rashness. This is shown in his readiness to join the revolution of Lepidus in case he saw an opportunity for personal advancement'; the prosecution of Dolabella for the purpose of attracting public notice ''; his quiet withdrawal to the Asiatic military campaign from Rhodes to gain experience ''; his vigorous support of the restoration of the tribunician power and his championship of the rogatio Plotiana; his extravagant claims in the orations delivered at the funerals of his relatives; and his mortification at having attained only to the rank of quaestor at the age of thirty. Such was the status of Caesar at the beginning of the period which we are to examine.

That Caesar played an important part in the conspiracies, there is no doubt. But to what extent his participation was a

' Suet. "C." 3. "Meruit et sub Servilio Isaurico in Cilicia, sed brevi tempore. Nam Sullae morte comperta, simul spe novae dissensionis, quae per Marcum Lepidum movebatur, Romam propere redit. Et Lepidi quidem societate, quamquam magnis condicionibus invitaretur, abstinuit, cum ingenio eius diffisus tum occasione, quam minorem opinione offenderat."

' Suet. "C." 4

''' See Praefatio

sympathetic support of the conspiracy and to what degree he used the conspiracy to further his own personal and political ambition, this paper proposes to inquire. Not reading from the present to the past, but interpreting the past by its continuity up to and into the present, we read Caesar as accessory to such a movement.

Julius Caesar was accessory to the nefarious plots of 66-62. If the conspiracy promised a successful issue, he could swing himself into the "executive chair" of the conspirators. As it happened he was an accomplice *per nomen solum*, a "tenuis socius", retaining his political equilibrium as he had thus far done in his progress on the ascendant flight to power.

THE FIRST CONSPIRACY-65

The elections of 66 had honored Caesar with the aedileship. His term of service was due to begin January 1, 65. Concerning his activities at this period his biographer Suetonius makes the following statement. "---A few days before he entered upon his duties (as aedile), he fell under the suspicion of having conspired with the ex-consul Crassus, and also with Publius Sulla and Lucius Autronius, who, after their election had been convicted of bribery. They plotted to attack the senate in the beginning of the year (65), and, after they had made way with all those not in agreement, Crassus was to become the dictator and Caesar his master of the horse. They would then run the government as they pleased (ad arbitrium) and would reinstate Sulla and Autronius." ' Suetonius mentions as the chief sources of his information three persons, all of whom were highly prejudiced witnesses, and allowance must be made for their partisanship. These are the history of Tanusius Geminus'', the edicts of Marcus Bibulus''', and the speeches of Gaius Curio''''.

' Suet. "C." 9 "---Ante paucas dies quam aedilitatem iniret venit in suspicionem conspirasse cum Marco Crasso consulari, item Publio Sulla et L. Autronio post designationem consulatus ambitus condemnatis, ut principio anni senatum adorirentur, et trucidatis quos placitum esset, dictaturam Crassus invaderet, ipse ab eo magister equitum diceretur, constitutaque ad arbitrium re publica, Sullae et Autronio consulatus restitueretur."

'' "Seneca compares the annals of Tanusius to the life of a fool, which though it may be long, is worthless; while that of a wise man, like a good book, is valuable, however short." Epist.

''' "Cicero calls his (Bibulus') edicts "Archilochian", that is, as full of spite as the verses of Archilochus. "Ad Att. b.7. sp.24.

'''' A.U.C. 689

"Cicero holds that both the Curios, father and son, are very cheap."

Brut. 3, 60.

Suetonius takes up the details of the plot and proceeds after referring to a hint from Cicero as follows: ----"Crassus, either through a change of heart, or fear, did not appear on the day appointed for the slaughter, and for that reason Caesar did not give the signal as agreed, which was to have been the throwing back of the toga from his shoulders." '

The biographer adds that Curio and Naso are responsible for the following statement: ----"Caesar was also in collusion with young Gnaeus Piso, to whom, on account of a suspicion of his connection with the urban conspiracy, Spain was given as a province extra ordinem without Piso's consent; and Caesar and Piso had agreed that Piso in Spain and Caesar at Rome would simultaneously incite revolution; Piso among the Ambrani and Transpadani and Caesar at Rome. However, this plan was subverted by the death of Piso.""'

This account of the first conspiracy is not supported by any other extant writing. Here Caesar is mentioned as a prominent conspirator--an active participant. The conspiracy is mentioned by other writers '' but no reference, as in

' Suet. "C." 9----"Crassum paenitentia vel metu diem caedi destinatum non obisse, et id circo ne Caesarem quidem signum, quod ab eo dari convenerat dedisse, convenisse---ut togam de umero deiceret."

'' Suet. "C." 9---"Conspirasse eum etiam cum Gnaeo Pisone adulescente cui ob suspicionem urbanae coniurationis provincia Hispania ultro extra ordinem data sit; pactumque ut simul foris ille; ipse Romae ad res novas consurgerent, per Ambranos et Transpadanos; destitutum utriusque consilium morte Pisonis."

''' Dio XXXVI, 44. Cicero: "In Toga Candida"--per Asconium. See also the references on the Interim.

Suetonius, is made to Caesar or Crassus, except as we might infer from the implication of Cicero.' Too much weight can be given to Suetonius's version of the affair because his authorities were men of known animus against Caesar. These possibly made their statements at a time of intense partisan feeling. ' However, in the details of this first conspiracy Suetonius is corroborated by other historians. And the fact that he quotes rather than affirms cannot be made a claim for exemption on the part of Caesar and Crassus. The sequence of events constitutes a consistent course of action beginning as early as the first conspiracy.

We have noted ' that Caesar left his province to take advantage of opportunities in the city which presented themselves to him just prior to his aedileship, and that on his road to Rome he had attempted to use his influence questionably among the tribes of Northern Italy. But the consuls had taken care to block any hostile moves on his part. At any rate, Caesar arrived at Rome "and was preparing to enter upon his duties as aedile when", as our author says, "this suspicion fell upon him."

Let us now note the following questions. First: what important characters besides Caesar were involved in this first conspiracy, and to what extent did they participate? Second: at what time did the conspiracy reach the highest point of tension, "the eruptive period"? Did it to any great extent affect the plots that were to follow?

' "In Toga Candida"

' Note Bibulus's edicts when a colleague of Caesar. Suet. "C." 19

' Suet. "C." 8

Inasmuch as there is no mention by other historians of Caesar's participation, let us proceed by association and inference. Dio Cassius (XXXVI, 44) says that Gnaeus Piso was sent to Spain because he was fomenting trouble. He further asserts that Catiline, who was barred from standing for the consulship by his indictment for peculation in Africa, was one of the chief men in a conspiracy at this time. Suetonius does not mention Catiline in this first conspiracy. Sallust attributes this early conspiracy to the disgruntled consules designati, Autronius and Sulla, but says that Catiline was among the conspirators, and gives the same version of Gnaeus Piso's activities as Dio and Suetonius. We must regard Sallust's hurried recital of the events of the first conspiracy as indicative of a desire to cover up facts which it did not suit his purpose to relate.

The three writers -- Sallust, Suetonius and Dio, positively implicate prominent men in this first conspiracy. The three historians agree that young Piso was sent to Spain because of suspicion of his activities. Sallust and Dio have agreed that Catiline was involved, and deeply, in this first conspiracy. Finally, Suetonius whom no one accuses of insincerity, comes forward with a statement not contradictory to others, but inviting eliminations and augmenting the field of

' Sallust "Catilina" 18 "Sed antea item coniuravere pauci contra rem publicam, in quibus Catilina fuit: ---P. Autronius et P. Sulla, designati consules, legibus ambitus interrogati poenas dederant. ----Erat eodem tempore Cn. Piso.---"

' Cicero is mentioned later.

speculative opinion. And Suetonius apparently had good reasons, for he has quoted the sources that definitely asserted the participation of Caesar and Crassus. These accounts, divergent as they may seem in detail, agree in the main as to the progress of the conspiracy of 66-65.

It is usual to accept Dio's statements at face value. He was an historian who wrote after careful research. We thus consider him as one who weighs the testimony found in the records to which he had access. His silence almost forces this deduction: the mention of Caesar as a conspirator was insufficient to warrant the exacting historian to hazard a statement in respect to a definite participation. But it cannot be plausibly argued from Dio's silence that Caesar was not a conspirator because he has included all the details of the first plot which corroborate the other writers.

As to the testimony of Sallust, we are inclined to agree with Boissier¹: that he has written history, and not a defense of his political confrères. Sallust is lacking in detail, and is in considerable haste in passing over the events of the first conspiracy. "But why then should the suspicion against Caesar

¹ Boissier: *La Conjuration de Catiline*, page 11:—"Selon lui (Momm-
sen) Salluste aurait composé le Catilina pour établir que Caesar n'
a pas fait partie de la conjuration. --- S'il avait voulu faire une
véritable apologie de César, le ton n'en serait-il différent? Se-
rait-il content, pour le justifier d'omettre son nom dans la
liste des jurés? Quand il le voyait attaqué en plein sénat par
des accusateurs de métier que soutenaient de grands personnages,
n'aurait-il pas cru devoir fournir rétabli la vérité?"

Momm-
sen (Vol. IV page 233) calls Caesar the most supple
master of intrigue and says that Sallust's Catiline was written
to clear Caesar's memory from the blackest stain that rested on it.

¹ Sallust Cat. 19. "Nos eam rem in medio relinquemus. De superi-
ore conjuratione hic jacet satis dictum."

be so clearly explained in the second conspiracy? Sallust also has definitely assigned the leadership in the first conspiracy to Catiline, who he says had been appointed to give the signal.' Suetonius gives an entirely different version and inculcates two of Rome's political chiefs to the extent of personal participation in this plot, even assigning to them the role of giving the signal.

The external history of the conspiracy seems perfectly clear. Publius Autronius and Publius Sulla were the consuls-elect for 65. 'These men had defeated Lucius Cotta and Lucius Torquatus at the polls. The latter solaced their feelings by bringing a charge of bribery against the successful candidates. The result was the disqualification of Autronius and Sulla. A special election was now held and Catiline, who had returned from his province in Africa, requested permission to be a candidate at this special election. He was refused because he was under indictment for peculation in his province. The election resulted in the choice of the consuls who had at first been defeated. The demonstration of political hostility then became open and intense.

We have stated something of the conditions in Rome at this time. The weak oligarchy was ruling. The military power with Pompey at its head was far away in Asia Minor. Rome was in turmoil and this could but be augmented by the absence of all military power, which was the only check upon demonstration or insurrection. The seed sown by the Sullan regime was producing the expected harvest of turbulence. Dissatisfied soldiers were roving the streets. They had dissipated their fortunes, granted

' Sallust Cat. 18. "Quod ni Catilina maturasset pro curia signum" etc.

' Suet. "C." 9--Sallust Cat. 18--Dio XXXVI--44

to them in recognition of their military service, and had forfeited their credit. The time was ripe for action, but a strong leader was wanting. Their bankrupt fortunes required "novas tabulas" and another "government loan" to sustain them for a new period of degrading ease. Gnaeus Piso would make a splendid duumvir with such a clientele. He had squandered his fortune by reckless habits, but he still had his noble name and ancestral prestige. Is it not possible that Caesar would unite as a "tenuis socius" with such a man? What does the revolution of Lepidus foretell? What does the incident in Spain presage---the hasty withdrawal from the province? Clearly Caesar can be considered in this first conspiracy as in a receptive mood---receptive to the extent that he would be sympathetic with the movement provided he could remain in the background and not have his name openly connected with it. Granting that he was in a receptive state of mind, why would an aedile plot to overthrow the existing government? Of what party was he the leader? Could he hope to gain? He was making a steady stride toward the acme of his political career. Could Crassus, his closest friend, hope to gain by such an association? Why would Crassus, the plutocrat, need such an alliance? The careful and successful politician will utilize his business connections, while the shrewd politician mingles with every class of people, suavely agreeing to each of their proposals and keeping himself free from factional entanglements. Gaining support from every rank of society in this manner, he can play the game of politics to the best advantage.

Cicero's relation to the parties in the conspiracy was unique. In examining his testimony we have first to note his

inconsistencies at many points. In one oration¹, delivered at the time of his candidacy for the consulship, he speaks of a plot formulated by Catiline and Gnaeus Piso and he asserts that these two alone were responsible for the plot. Asconius, who lived but two generations later, in his commentary on this passage adds², corroborating Sallust, that Catiline was the man appointed to give the signal and Professor Nutting³ seems to think this more likely because of Catiline's impetuous character. Asconius reports a current assertion (dicitur) that Piso was assassinated in Spain by the dependents of Pompey and with his connivance. It is important to note the political status of Pompey at this time. The "combination" had removed him to an Asiatic command through the passage of the Manilian Law. But we know that Pompey kept in touch with Rome⁴ and was fully advised as to the complicated political situation at all times during the years 66-62.

The Manilian Law had been vigorously supported by Caesar and Cicero⁵. Pompey, by his military command, was excluded from Rome. This removed a prestige that could not have been contested by the lesser political bosses. Here Dio says: "These men (Caesar and Cicero) seconded the measure (Manilian Law) not because they wished to do Pompey a favor but because they thought it advantageous to the state. Inasmuch, however, as things were certain to turn out that way (favorable to Pompey), Caesar culti-

¹ In Toga Candida

² Dio XXXVI, 45

³ "Conspiracy at Rome in 66-65

⁴ Sends Nepos. See Dio.

⁵ Delivers an oration in its behalf.

vated the good will of the multitude: he saw in the first place, how much stronger the multitude was than the senate and, further, he paved the way for a similar vote sometime to be passed for his own profit. Incidentally, too, he was willing to render Pompey more envied and invidious as a result of the honor conferred upon him, so that the people might get their fill of him more quickly. Cicero saw fit to play politics, and was endeavoring to make it clear to both populace and nobles that to whichever side he should attach himself he would substantially benefit them.¹ A short time after this Cicero speaks of defending Catiline (at least that he is considering such a thing), and using him as one of his political supports, hinting that he expects him to be an unsuccessful competitor.² In this same misty year (66) he also speaks of "lumping Caesar off with Thermes".³ We here see Cicero not above taking advantage of a tangled political situation. Could the public have analyzed his intriguing connections they would have been thrown into consternation. The keen observer must have felt that there were no scruples for public men in their selection of political bed-fellows.

The attitude of Caesar through all the events just reviewed demonstrates clearly the receptivity before noted. So he is inculpated in part. His friend Crassus was also active in "Spurring on the under dog" in this affair, and both were looking forward to the time when they would be declared 'saviors of the state'. Could Caesar be otherwise considered in the absence of Pompey, with Piso in strategic Spain, Cicero a vacillating non-committal in his "novus homo" status, and Crassus "standing by" and ever well-prepared auxiliary?

¹ Dio XXXVI 43 (Yonge's Trans.)

² Cic. Ad Att. 1-1: 1-2

THE INTERVAL

Cicero ' would lead us to think there was practically no lapse of time between the attempts made to foment trouble for the oligarchy during the entire period of 66-62. No action was so menacing as to demand governmental interference during the interval from 65-63. But this fact cannot curtail the interest of the modern student in the significant political activities in progress during the interim. The aims of the disreputable remained the same. The fires of discontent were increasing and the turbulent election contest of 63 brought on the tremendous final conflagration. These ~~were~~ ^{are} the years when certain leaders are constrained to make a wild dash for popularity before the military hero returns from the East and overshadows them with his newly-acquired prestige.

Caesar was aedile during the year 65. While serving in this capacity he gave magnificent games for the purpose of currying popularity.' ' Saturate the minds of the public with entertainment, and ambition will easily be mistaken for generosity. The young bankrupt aedile knew this. He further perceived that this intoxication of the rabble with his munificence would give him unlimited credit. In this same year by restoring the images of Marius to their pedestals he reminds the public of his relationship to the old popular hero. By such activity he sounds out the public to find their attitude toward his revolutionary purposes.' ' ' The oligarchy was too ' "In Toga Candida" where he speaks of the plots of the past three years.

' Suet. "C." 10

' ' Suet. "C." 11

demoralized to make a semblance of defense. The masses, to be sure, were teeming with desire for greater privileges and the patres conscripti could not but stand aghast at seeing one so formidable and adverse assuming the leadership of such a wily body. "One incisive trait he had and we discover it everywhere in his writings and in the further acts of his public career: viz, a wonderful faculty of putting his adversaries in the wrong so as to present a given situation in such a way as to have equity and good sense bound up with his position and with his measures, while intemperateness and heat, and all things unreasonable and indefensible, appear as lodged with his adversaries."'

From the time of the prosecution of Dolabella'', although Caesar lost the case, there had been a steady growth of that success which now (65) made him practically the only leader, unqualifiedly acceptable to the whole body of populares. The asthenic optimates were beginning to feel the effects of his well-dealt blows. The senate was now becoming as rapidly discredited abroad as undermined in security at home. ''' Pompey had Asia to squeeze a fortune from and to use for a field in the demonstration of his military genius, and for creating at length an unassailable prestige. No doubt he would enforce his claims when he reached home. Caesar, too, felt the need of a province to demonstrate his skill: but the time was not ripe. So Crassus and Caesar failed in their Egyptian project ''', a scheme which confirms the strong suspicion against Caesar in the senate. and The 'Annals of Caesar: Sihler, page 63.

Suet. "C." 4

''' Pompey proceeds in Asia Minor at his own will.

'''' Suet. "C." 11, also Dio.

story tallies with the version Suetonius gives us of the conspiracy of 66-65. To reinstate the king of Egypt, Rome's ally and friend,--this is a commendable and patriotic offer--but the crafty pair (Caesar and Crassus), could not yet wheedle the weak senate into an agreement so manifest for personal aggrandizement. And yet the outcome could have been a serious and lasting split between the magister equitum and his dictator. The opposition to the measure at least supports one view: hereafter Caesar and Cicero were on divergent paths, and more and more the incompatibility of their policies appears.

In 64 Cicero was a candidate for the consulship. He was a "novus homo", an Arpinate lawyer, who, by his silvery tongue and consummate tact and shiftiness, had elbowed his way into the political melee. He had two opponents, Catiline and Antonius. In a bitter speech ' he flays these two men, exposing their past and their vicious election methods. These were too unscrupulous for an "honest" candidate such as Cicero, and he alleges that their methods are not only unfair to him but subversive of the government as well. The increasing popularity of Cicero was alarming to Caesar and Crassus. ' The popular leaders had decided that the lawyer must be curbed but that their course must be so subtle as not to show their hand. They could not tolerate a "newcomer in the field who was sure to wield considerable influence and who was looming up too large to be made an asset in the further political ambitions of both or either of them." ''' Cicero's

' "In Toga Candida"

' Asconius annotates his rhetorical edition of "In Toga Candida" with comments that must have been corroborated in his time.

''' "Annals of Caesar": Sihler, page 65.

backing was too formidable. The forces supporting his candidacy were too powerful. Catiline had excellent chances of election and still further strengthened himself by an alliance with Antonius, whose aristocratic connections would lend respectability to their campaign. It was at the time of this alliance that Cicero delivered his "In Toga Candida" speech against them. In spite of the union of Cicero's two opponents, supported as it was by the secret aid of Caesar and Crassus and the unrest of the rabble, who were desirous of "novas res", it was impossible to overcome the feeling of apprehension that the state had in placing a man like Catiline in its chief office. His career as a ruthless proscriptionist in the time of Sulla, his peculations in Africa, the suspicion cast upon him in 66-65 --all these condemned him in the sight of Rome, and the result was the election of the "novus homo". The aristocracy had rallied to Cicero, much as they disliked him, and their support, added to his immense popular following, had insured his election and demonstrated the general disapproval of the tactics of the popular leaders, Caesar and Crassus. But this does not mean that Caesar's popularity had been dispelled or his prestige undermined. It was not his defeat but the defeat of a candidate he had supported with selfish ends in mind. The public was unwilling to exchange a worse condition for the worst condition.

We cannot deny the advantage one has in being able to suborn even the most nefarious, so long as the one using this advantage is not incriminated. Thus Caesar, admittedly a person

of good judgement, exercised with extreme arbitrary power the office of judex quaestionis as a weapon against his political opponents. Why were some sentenced and Catiline, guiltiest of all, acquitted? Had Catiline been so good and submissive an adherent of the past as to deserve a reward contrary to justice, and was he among the assets of the future?

In the last month of 64 the Agrarian Law was proposed. Cicero brought about the defeat of the measure and from now on he continues the avowed champion of the senatorial party. "We see now much more clearly why Caesar was opposed to any consulate for the debater from Arpinum.---Here, then, Caesar (who stood behind Rullus) and Cicero came into a political conflict, in which the orator defeated the politician." '

Caesar had secretly put forward (subornavit) Titus Labienus for the prosecution of Rabirius, who had committed the crime some thirty years before.' ' This was a test whereby Caesar showed how feeble and decrepit the oligarchy had become. It is easy to understand the satisfaction derived from this legal contest. It proved finally how tottering was the constitutional edifice of the aristocracy and how much that institution would really hold in dread a formidable adversary. It also showed how impotent was the senate in its judicial pretensions.

The time intervening between the two conspiracies apparently is the bridge from the lesser to the greater. During this period Caesar easily stemmed the currents of opposition and strengthened his hold upon the populace. He first made a careful survey of his political assets; then he constantly planned

' Sihler: Annals of Caesar, page 67.

' ' Suet. "C." 12, Dio XXXVII--26, Plutarch's Caesar.

and plotted. Cicero's popularity had already drawn a counter stroke from Caesar as indicated by the Agrarian Law above mentioned. Caesar knew that Catiline would never become a formidable rival, so he passed support to him without a scruple. From this time forward he was to count Cicero an adversary. Crassus worked in conjunction with Caesar and was his financial rock. With such security his debts did not become a handicap.

Caesar's activity through all this intermittent period was designed to baffle his opponents, to strengthen his own political following, and, to confirm him as a champion of the oppressed classes.

THE SECOND CONSPIRACY

Mommsen says (bk. V. chap.5) that from the passage of the Gabinio-Manilian Laws down to the return of Pompeius, perpetual conspiracy reigned in Rome. Cicero, too, asserts ' that the past three years have been full of conspiracy. But it is evident that not till late in the year 64 had the conspiracy reached dangerous proportions. The conspirators had ceased to hope to realize their aims through moderate means, and the lion-at-bay position of the leaders had forced them to adopt desperate measures, which were no less than the complete subversal of the state.'

Political lines at Rome were gradually shifting. All parties were striving for the ascendancy, and all were using different means to gain their ends.''' Pompey headed the military party; the oligarchy was forced to take up Cicero; Caesar renewed his pledge with the plebs; Catiline was ever ready, as the leader of a flock of the nefarious, to shift to the party which promised the most for his personal success. Of the first three parties mentioned above each had an "under current" which was mainly made up of Catiline's supporters. The anarchistic elements seemed gradually to merge during the years of continuous conspiracy. By nature the greater portion of this anarchistic group would be of the proletariat--men who do not think for themselves, but who are charmed by the man who grants them ex-

' "In Toga Candida"

'' Duruy's History of Rome, Vol.III, Chap. 51.

''' Plutarch's Crassus,XIII, Caes. p. 210, Cic. 233, Sall. Cat. 22
Florus IV, 1; Cic. Pro Sulla 25.

cessive corn largesses and gives the most magnificent exhibition. This merging of the anarchistic forces was in the inceptive stage at the time of the first conspiracy. But it was early participated in by men of importance in each political faction. Aside from the officers-elect in 66-65 we have men like Catiline and Piso, men who were ruined in fortune and were nursing some hope of profiting by overthrowing the weakened oligarchy. Mommsen says, and rightly, that the deeds committed by them belong to the records of crime, and not of history. He continues: "to form out of such elements a conspiracy for the overthrow of the existing order of things could not be difficult to men who possessed money and political influence."

The military leadership had been shifted to Asia by the Manilian Law. This left the democracy, or rather its leaders, free to compete with the oligarchy for supremacy. Pompey, even though remote, was to be reckoned with as a political factor. The fact that the democratic leaders took advantage of his absence (67-62) to establish themselves in power is an indication of their recognition of Pompey's prestige. The democracy was wary of him because he was looming up as a future military dictator. The supporters of the Manilian Law assure us of this. The three-cornered fight had reached an acute stage in 63, with the Pompeian party inactive. In desperation the democracy formed a coalition with the reformers.

The candidates for the consulship of 63 were Cicero, Antonius, Catiline and three men of minor importance. Antonius and Catiline, both Sulla's, the one an insignificant man--a bankrupt--the other a noble fallen from grace, notorious as an insidious plotter since 66, were leagued against Cicero.* Catiline

* See First Conspiracy and Interim, also Plat., Cic.

line had already proved himself a ready tool in the hands of the leaders of the populares and Antonius thought such a prize as the consulship was well worth the use of a name that could not be rendered more disgraceful. Through the entire campaign and finally at the election, Cicero made an effort to keep in favor with both parties and to preserve the poise of a neutral. At times we even question his knowledge of the conspiracy and are inclined to regard him before he assumes the duties of consul as one giving silent, passive support. It appears that he had at least some loose bond with the plotters; otherwise why did he try so hard to appease Antonius when he became his colleague?

Catiline had become Cicero's bitterest enemy because of speeches delivered against him and because of the legislative acts in which Cicero had participated. In addition to this Catiline could but know the jealousy and hatred that the democratic leaders had for one who had recently become the champion of the aristocracy.

It has been noted that Piso (at Crassus' motion according to Mommsen) was sent to Spain "apparently to check the first conspiracy. But Suetonius (9) states that it was for the direct purpose of furthering the conspiracy. We are inclined to agree with Suetonius that strategic Spain was the place appointed for a simultaneous upheaval. Spain was the "left wing" of Transpadane Gaul. When Crassus was censor he had tried to secure the Italian franchise for these Gauls." Caesar and Crassus, due to their democratic sympathies, were champions

' Plut. Cicero

" Dio, Sall., Plut., Suet.

" Plut., Crassus and Suet. "C." 8

of the exterior tribes. Can the union of Spain and these northern tribes constitute the nucleus of a military power that under excellent leadership and favorable circumstances in the city become the assured force to attain permanent control? With the unscrupulous Piso in such a position and ready to follow the dictates of a more capable leader, might we not consider such a situation on the outside significant while Rome is in this turbulent state? At the same time, Publius Sittius', later a close friend of Caesar, and one whom he does not hesitate to favor publicly during the civil wars', compelled by creditors to remain outside of Italy, was at the head of armed bands in Mauretania. While these might be merely bands of marauders, the success of ~~coups~~ at Rome with which they were in sympathy might make them an important military power. When we consider the profligacy of Catiline, the bankrupt condition of Antonius' fortune, the unrest at Rome, the objects of the campaign--*novas tabulas*, etc.--the support of the whole popular party, and particularly its leaders--can we believe that Sittius was in sympathy with the movement?

"We have another very significant demonstration of the democratic plot which pervaded every part of the empire. We have noted Caesar and Crassus' attempt to secure a military foothold in Egypt'' but as yet the oligarchy were able to repel such overt attempts to satisfy ambition, and the plan, through non-support, miscarried.

The Agrarian Law, its author vigorously supported by Caesar, could not be anything but a ruse, the success of which meant much added strength to the democracy. ''' That members of the democracy

' Sall. Cat. Caesar, *Bellum Civile*

'' Suet. "C." 16

''' De Lege Agraria I-II-III

were to hold the balance of power in the enforcement of this law confirms all the suspicion of its purpose. Cicero carefully reviewed the provisions of the bill. ' As a designatus and consequently the champion of the constitution, he reflected the feeling which the senatorial party had for the measure. Perhaps, too, it was felt that Pompey would never consent to a law so restrictive and, undermining his military powers as it did. In spite of the fact that the multitude out of love or fear seemed to shy at any demonstration averse to Pompey, the undercurrent continued to menace the vitals of the state. It was not to be an issue between good and evil. It was the struggle between ambitious popular leaders and the intrenched oligarchy. But we note this now in regard to the prominent men involved: the possessors of this determination and increasing ambition must first delicately sense out the path to an unimpaired progress,--and the means they chose was the putting forward of the ruthless and nefarious.

We now return to the elections. Piso had been killed in Spain.' This was not a direct blow to the conspiracy but required a change in tactics. At any rate, Spain could remain passive, but as will be seen, Catiline had made plans for a force in the north. The campaign and election proceeded, and despite outrageous bribery (by Caesar and Crassus?) Cicero was elected, with Antonius as his colleague. So Catiline, defeated in this last desperate attempt, and realizing now that he could never attain his ends through lawful channels, prepared for the complete subversal of the state. Gaius Manlius, an old Sullan captain, had established himself in military headquarters near Fae-sulae. It is recalled that several years before this had been the headquarters of the revolution instigated by Lepidus. And Young
' , , , ' Sall. Suet. and Plut. "In Toga Candida"

Caesar had taken the trouble to come from Asia to consider allying himself with this conspiracy, but on investigation, fearing the outcome, he had shaken his head.

The Catilinarians in the city were doubtless meeting at various times, keeping up their spirits, exacting fresh oaths (Sall. 27) and possibly, as Cicero hints in a fragment preserved by Asconius, were in communication with the powerful leaders of the democracy, Caesar and Crassus. They were preparing for "illam diem" of their political knighthood. But even had they succeeded in their atrocious designs, they were destined to be the under-dogs controlled by their powerful dictators. The die was cast. The conspiracy suspected and feared now because of the feverish activity of its members, must be carried out by the chieftain who had been its foremost promoter. It had reached the critical point, and had to withstand or succumb to the superior forces of the state. Although everything was ripe for action, the haste and untactful method of the conspirators was the cause of its early failure in the city. For after the elections, the crudity of such acts as the attempted murder of the consul and the effect of Cicero's tactful, adroit play upon the fear and superstitions of the populace precipitated public consternation into a sympathetic and defensive fear. Cicero's own vigilance, coupled perhaps with certain secret sources of information growing out of his loose bond (?) with the conspiracy at earlier stages, kept him alert and thoroughly informed on each movement.

The status of the conspiracy at this time is not quite clear. Crafty as had been the support of men in high station, and adroit as had been the plotting, yet it had immaturely and clumsily been turned into an actual clash of arms. The leaders were now discov-

ered to be of the nobility, each of ~~them~~ having the standing of an eques. It was now no longer possible to conceal the nature and reaches of the conspiracy. In a sense all its members were discredited politicians of a subordinate station. The purpose of such a movement would bring even to the mind of a man like Catiline the gravest misgivings as to his ability to continue in the leadership if the outcome was favorable. Desperate plotters such as they turn their wicked acts against fellow workers when the goal is in sight. How easy it is to define the limits of such a politician as Lentulus, who had been stimulated to the undertaking by a mere phrase ! ' Caesar and Crassus had not yet even considered severing their connection with the conspiracy. For often from the wreckage of the most violent political upheaval material is secured subservient to the purposes of one who seeks to win by intrigue. So Catiline appeared in the senate and protests his innocence with vigor. Extremity is now masked with temerity. But the machinations, the hidden threads, were too well known, and the former leader , sneaking from the city as a fugitive criminal, was no sooner clear of its confines than he assumed the badges of supreme power and with lictors and consular insignia went straight to the assembled forces at Faesulae.''

The testimony of the Allobroges ''' having completely established the guilt of the participants in the urban conspiracy, led quickly to their arrest and conviction. This for the moment paralyzed all activity and forever crushed the heart and hope

' Sall. Cat.

'' Ibid.

''' Cicero: Oratio Prima, Secunda. Sall. Cat. Appian Civ. Bel. II Plut. Crassus.

of those involved. The Allobroges, according to Plutarch (Cic.), had been very uneasy under Roman government, and being peoples of the north, their position was necessarily a strategic one. According to Sallust (49) they were prevailed upon to swear falsely against Caesar. But such a statement may be taken with a grain of salt. For they were from precisely the locality whose tribes Caesar had championed from the beginning of his career in politics, and he had been their patron in their efforts to secure political privileges. So they may be put down as too friendly to him to have made such a statement. But Cicero had learned the identity of the conspirators within the city from the Allobroges. The information was confirmed by the discovery of arms at the home of Cethegus (Plut. Cic., Sall. 49) and by the confession of Lentulus. The latter was then forced to resign his office.

The position of Catiline ' required immediate action. The first question before the consul was the final disposition of the ringleaders, who were now in custody. Capital punishment would be a questionable procedure. According to the constitution, a citizen condemned to death had the privilege of appeal to the vote of the burgesses. In the present complicated political situation, an appeal to the multitude would be hazardous for the government. But the consuls had been given the *consultum ultimum* .'' It has been argued that this was equivalent to a declaration of martial law, but if so, why need the consul hesitate to inflict the death penalty? Simply because he did not care to face the future political consequences of such a procedure. He preferred . ' He had reached his troops at Faesulae (Plut. Cic.) '' This gave the consuls supreme control over the state in case of emergency.

therefore, to shift the responsibility for the decision to the senate, but it was constitutionally even less competent to act than the consul himself, for the simple reason that it was not a judicial tribunal.

In its memorable session on the Nones of December, the senate assumed the responsibility for the death penalty. But even so the consul could not escape the future consequences of such an act and in less than four years it resulted in his banishment. On the other hand, the popular leaders, Caesar and Crassus, were able to utilize the incident to promote their own purposes. At this session, Cicero was the presiding officer. He put the matter before the senate (Appian De Civ. Bell. II), and then called upon Silanus (Sall. 50) the consul-elect. Silanus proposed the "severest punishment" (Sall. 51, Cic. In Cat. II-7, Appian B.C. II). After the consul designatus had finished, Caesar was called upon. "Sallust has preserved for us the speech (Cat. 51), which we must esteem a close representation of what he actually said, not less than the counter speech of Cato on that day." It was a great speech and "was permeated with psychological tact and with dispassionate appeal to judgment" which in certain passages becomes almost a confirmed defense of the conspirators. Exhorting the senate and urging that they reason from the past the outcome of the exercise of too severe a judgment (which he felt the death penalty to be), Caesar argues for legality of procedure."

' Sihler: Annals of Caesar

" Sallust Cat. 51--"Nam si digna poena pro factis eorum reperitur, novum consilium approbo; sin magnitudo sceleris omnium ingenia exsuperat, eis utendum censeo, quae legibus comparata sunt."

We encounter next in the speech a series of questions which are meant to soften his criticism of Silanus' proposal.' Has the conspiracy been taken too seriously? It is thus that Caesar minimizes the situation. He fairly insists upon the actual proof of the existence of the conspiracy to establish grounds for a real action at law. He then proposes life imprisonment with an additional provision that the matter shall never be brought up for review or modification.'" The psychological moment had arrived, the time to save his friends!, and legally, too, for he had kept to the law through his entire speech. The following are comments of modern authorities upon the trial and Caesar's speech:

"Did he move for a regular trial, whether for maiestas or perduellio under the statues (of Sulla) then in force? Did he move for any trial at all? Did he seriously question the constitutional right of the senate? Did he speak of an appeal? Not at all!"---Sihler: Annals of Caesar, pp. 63 ff.

"It is from the language which the historian himself ascribes to Caesar that a shade of suspicion still attaches to

' Sallust Cat. 51--"Placet igitur eos dimitti et augeri exercitum Catilinae? Minime. Sed ita denso publicandos eorum pecuniis; ipsos in vinculis habendos per municipia, quae maxime opibus valent; neu qui de eis postea ad senatum referat, neve cum populo agat; qui aliter fecerit, senatum existimare eum contra rem publicam et salutem omnium facturum."

" Sallust Cat. 51--"Sed, per deos immortalis, quo illa oratio pertinuit? An, uti vos infestas conjurationi faceret? Scilicet quem res tanta et tam atrox non permovet eum oratio accendit. Non ita est, neque cuiquam mortalium iniuriae suae parvae videntur: multi eas gravius aeque habere."

him. He sought to save the culprits' lives: but his motive was a private and not a personal one. He contended for the manifest interest of his party; for the advancement of his policy, for the embarrassment of the senate, for the renown of clemency and public spirit."---Merivale, vol.I. p. 96.

"By proposing an alternative sentence he (Caesar) seems to acknowledge the right of the senate to try these men and to condemn them to punishment of some sort. But why was the senate better qualified to pronounce a sentence of imprisonment for life than a sentence of death? This question, though it seems to force itself on the notice of the reader, is never clearly stated, much less solved, by our authorities. Sallust and Cicero give us little help in explanation, though they state the facts correctly. The most probable answer seems to be that imprisonment in the days of the Roman republic was not fully recognized as a species of punishment but only as a harsh method for safekeeping. Caesar's motion may be held to keep the windy side of the law."

--Strachan-Davidson, Cicero, p. 141.

"Caesar considered this step (Sılanus' proposal) highly dangerous and as calculated to excite great exasperation because it would be necessary to have recourse to the wholesale execution s of former times, he therefore advised the conspirators should be distributed in several towns and kept in custody for life. This would, perhaps, have been the wisest plan and does not by any means prove that Caesar was a member of the conspiracy."

--Niebuhr: Lectures on Roman History, vol.II, p.22.

The very fact, regardless of the legitimacy of Cæsar's argument, that he suggests this course strengthens our belief that he definitely intended to save the conspirators. The pettifogging, radical Cato would not dare to state so boldly his sus-

picious of Caesar were there not definite grounds for these. After extolling himself and refuting Caesar's stronger arguments, Cato at length refers (Plut.) to his (Caesar's) view of death with disdain. Then, assuming the consequences of the enforcement of Caesar's proposals, he boldly asserts: "Amidst the intense fear of all of us if he (Caesar) is not in dread, all the more does it behoove me to be alarmed for myself and the rest of us." There must have been some adequate ground for Cato's suspicion. Otherwise why was there an attempted assault on Caesar as he left the temple of Concord? (Suet. "C." 14, Appian, Bel. Civ. II., Florus VI., 4, Dio XXXVI, 44, Sallust Cat. 49, Plut. Cic., Caes. and Cato) Were not men who had plotted the death of senators (Caesar was a senator!) to be voted a death sentence? "As if desperate attempts would not be more likely to succeed where there is less power to resist them"! Cato won. Cicero, though non-committal, was much pleased with the sentence, and the stormy session of the senate almost ended disastrously for Caesar. Suetonius tells us ("C." 14) that the proletarian boss stayed away from senate convocations for more than a year. The result was significant. The executioners' report, "Vixerunt", did not save the state from the aggression of the ambitious whose secret hand had been seen behind the machinations of these plot-filled years but it delayed action.

' Sall. Cat. 52---"Quod vanum equidem hoc consilium est, si periculum ex illis metuit; sin in tanto omnium metu solus non timet, eo magis refert me mihi atque vobis timere."

Caesar had put forth every effort to save the conspirators without incriminating himself. In spite of his lucid reasoning and covert threats he lost to the conservative faction.

It has been stated that Cicero had a loose bond with the conspiracy. At any rate, we know from the means he had of securing information of the conspiracy that he had a definite knowledge of its participants. Inasmuch as it had been shown that Caesar was definitely connected with the conspiracy, it is well here to give evidence on the statement concerning Cicero. In every record of the conspiracy we find Cicero unwilling to inculcate such powerful men as Caesar and Crassus. (Suet. ".C."17, Dio XXXVI, 41, Plut. Crassus 13, Cicero, p. 233, Caesar, Sall. Cat. 49). He even went so far as to prevent open violence against them. In addition to this, we find in Suetonius (14) that Cicero's brother approved of Caesar's plan. There must have been some tentative understanding among the leaders of both parties; and Cicero's game of personal politics involved these men high up in the popular party.

The conspiracy had been crushed! The death sentence had been passed! Two of the conspirators were assigned to Caesar and Crassus for safekeeping. (Sall. Cat. 47). "The prisoners were guarded in the houses of magistrates and senators, two of them being committed to the charge of Caesar and Crassus. By this choice of guardians the consul meant to indicate that he put no trust (12) in the rumor which made Caesar and Crassus accessories to the conspiracies, but regarded them as loyal and trustworthy citizens." (Strachan-Davidson: Cic. p. 136). The onus of this argument rests largely upon the fact that

information had been given to the consul by Crassus (Dio XXXVII, 31). One would naturally suspect Cicero's action in assigning the prisoners. This was a free custody (in liberis custodiis, Cat. 47), which made the arrested party a prisoner-at-large (Plut. Cic. p. 240). Would there not be ample grounds for an assertion of Caesar's and Crassus' complicity if their prisoners were allowed to escape? And should it be impossible to prevent an escape, would it not be of tremendous advantage to the enemies of Caesar and Crassus? Two men, who have been openly accused and implicated in the plots (Suet. "C." 17, Dio XXXVI, 41, Plut. Caesar p. 230, Crassus 13, Asconius "In Toga Candida"), are intrusted with the care of conspirators. It is obviously a test of both a public and a private nature, and there is but one thing to do in the face of events, viz., to deliver the prisoners safely into the hands of the officials.

The conspiracy had been crushed, but the brunt of the blow fell heavily upon the democratic party, and particularly its leaders. It is easy to determine the part which the democratic faction played in the game. It was the culmination of the unrest of 66. Catulus had accused them openly (i.e., the leaders of the democracy) of complicity and Caesar had openly spoken in behalf of the lives of the conspirators. But such facts are merely "resultative". The series of events from 66 and even earlier confirms a continuity of action, and 63 seems the logical culmination. Caesar and Crassus had supported Catiline for the consulship in 64 (Asconius). Caesar had acquitted Catiline, a defendant most guilty of all. Cicero (In Toga Candida) did not

include among the names of the conspirators concerning whom he had information those of two influential men. When reports were read in the senate (Dio) he saw fit to put an end to the "rigid" investigation, for he was himself too much entangled in politics to incur the enmity of such a powerful faction by the inculpation of its leaders. But in later years (Plut. Crassus says this oration is not extant), when Cicero had no reason to disguise the truth, he expressly named Caesar. (This oration was delivered after the death of both Crassus and Caesar, according to Mommsen). That two of the least dangerous of the conspirators should be handed over to Caesar and Crassus is also not without significance. The captured messenger is promptly hushed when he begins to involve the democratic leaders. Why did the young men (equites) attack him (Caesar) while leaving the senate? Did they not feel incensed at one who had been in league with those who intended to burn their homes over their heads? Publius Sittius, so strategically located at the time of the conspiracy, was held in close alliance by Caesar when the latter arose to head the state, and Sittius at that time was the only living Catilinarian. We must consider these activities from the standpoint of continuity and their actual political position. From 66 to 62 Crassus and Caesar occupied to a great extent the same position as Marius and Cinna had held in former years, while Pompey and Sulla were the military leaders. It was an alliance of politics and anarchy, but the selfish element had defeated its own purpose. Caesar, then, on the verge of giving up, grasped at the last straw--the pontificate--and left home saying he would never return unless elected.

CONCLUSION

The continuity of Caesar's activities within this particular unrest in Rome, while not "juristically", without doubt "historically" proves him an accessory. The Gens to which he belonged had a definite relationship to politics which he could not disregard. When a youth he directed his course so as to follow out the policies supported by the family of which he was a member. To exalt himself was to exalt his family. The course he pursued through this period demonstrates clearly that all with whom he worked in conjunction and every act with which he associated himself was of benefit to him later when he secured control of the state. Further, it is shown that all those who opposed him suffered from his retaliatory methods or were soon doomed to political oblivion. As Roman history was made through this period it showed clearly the democratic leader's influence that was later to be imperialistic.

But the evidence is even more convincing when we examine the history subsequent to the Catilinarian outrages. His participation in public life constantly increased. Public events fell into alignment with all he supported. Each apparent reverse was the assurance of a greater stability till finally he felt the foundation sufficiently strong to support the superstructure. Then he began the construction of an edifice that was overtoppled by imperialistic ambition.

Caesar's participation in public life was he advanced in power speaks for itself. There was coalition; there was the establishment of military prestige and ultimate supremacy; there was the complete subjection of all enemies, both public and private, who threatened to block his road to absolute power. The support he gave to the Catilinarian conspiracy was unquestionably necessary to further his own ends and to pursue the course of the shrewd politician and statesman. HISTORY THUS PROVES THAT CAESAR WAS CONNECTED WITH THE CONSPIRACIES AT ROME DURING THE YEARS 66-62 B. C.

FINIS

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Modern authorities and their works are mentioned as they are cited and quoted. The following is a classification of modern writers in respect to their viewpoint.

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MOMMSEN (favorably critical)

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II. BIOGRAPHICAL

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